

EXHIBIT

12

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE,
INC., *et al.*,

Plaintiffs,

v.

CITY OF MYRTLE BEACH, *et al.*,

Defendants.

Civil Action No. 4:18-cv-00554-DCC

DECLARATION OF PATRICE JOHNSON

I, Patrice Johnson, hereby state as follows:

1. I am over the age of eighteen and am competent to make this Declaration. I have personal knowledge of the matters set forth herein.
2. I am African American. I am a resident of North Carolina.
3. I am the General Manager of the Motorcycle Professional Convention. Every year, we host a convention in a different city across the United States for motorcycle professionals.
4. I also host an annual kickoff party for Black Bike Week and, for the last seven years, I have hosted the event at Redline Power Sports. I started the event with the City of Atlantic Beach and moved it to Redline Power Sports around 2009. The event includes a stunt show, and motorcycle equipment and apparel vendors. I host this event specifically to create an event for tourists separate and apart from the traffic loop.

5. In addition to my role with the Motorcycle Professional Convention, I am a member of Black Girls Ride, through which I organize a motorcycle ride that promotes women motorcyclists.

6. I began attending Black Bike Week in 1996 and have attended every year since.

7. Since 2015, when the City implemented the 23-mile traffic loop, I have noticed a significant increase in traffic congestion and police presence during Black Bike Week.

8. During Black Bike Week 2015, the first year of the traffic loop, I got stuck in the loop on Friday night. I was traveling from the Horizon Hotel, to the Breakers Myrtle Beach Resort and Camelot by the Sea. It took me three hours to navigate the loop. Furthermore, once I finally got out of the loop, it took me an additional hour and a half to get back to my hotel.

9. Since 2015, I have done my best to completely avoid Ocean Blvd. because I do not want to get stuck in the one way traffic pattern on that roadway. Once you're stuck in one-way traffic on Ocean Blvd., it can take up to two hours to travel the full length of Ocean Blvd.

10. Since 2015, I have also noticed a significant increase in police presence at Black Bike Week. I feel that the increased police presence creates an intimidating and antagonistic atmosphere. The policing of Black Bike Week also feels unnecessarily forceful and aggressive.

11. I have observed how the one-way traffic pattern slows vehicle traffic on Ocean Blvd. to a stand-still. I've witnessed police officers use this as an opportunity to peer inside of stopped vehicles.

12. I have also witnessed ten to fifteen police officers surround a motorcyclist for a simple traffic violation.

13. I've also observed overly aggressive policing during Black Bike Week. For example, on the Friday of Black Bike Week 2017, I witnessed an African-American tourist

accidentally step into the roadway on Ocean Blvd. in front of Beach House Bar and Grill. Three police officers immediately approached him and told him to get back onto the sidewalk in a very forceful and intimidating way.

14. I feel that police look for any reason to stop or harass African-American tourists during Black Bike Week and I feel that I have been unreasonably targeted by the police. I have been followed by the police on several occasions. It seems that if one drives a nice bike, one stands out as a target for the police.

15. Since 2013 I have also attended Harley Week. The differences between Harley Week and Black Bike Week are stark. I have observed that Harley Week attendees are predominantly white while Black Bike Week attendees are predominantly African American.

16. Unlike Black Bike Week, traffic during Harley Week is permitted to flow freely through the City. Whereas during Black Bike Week I try to avoid Ocean Blvd. because of the intense traffic and one-way loop, during Harley Week I frequently travel on Ocean Blvd. because there are almost no traffic restrictions.

17. The police presence is also radically different during Harley Week. I have not seen any State Police or Special Law Enforcement Division ("SLED") officers during Harley Week and I have seen virtually no Myrtle Beach Police officers.

18. Whereas I have been followed and feel surveilled during Black Bike Week, during Harley Week, police officers and I have laughed together and talked about my bike.

19. During Black Bike Week, I have observed harsh and immediate police reactions to minor infractions. However, during Harley Week, I have observed that police are more lenient and speak to attendees in a more respectful manner. In 2016, for example, I witnessed a woman

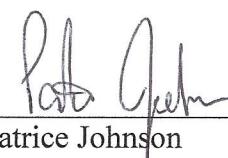
displaying her bare chest in a restaurant parking lot. A police officer approached the woman, laughed with her, and told her that she needed to cover herself up.

20. I fundamentally believe, as an attendee of both events, that tourists at Black Bike Week are treated differently than tourists at Harley Week. After attending both events over a long period of time, I feel that the only reason for the City's different treatment are stereotypes about Black Bike Week's African-American attendees. Although I plan to continue to attend both events, I cannot enjoy Black Bike Week as much as I would otherwise. Knowing that the City treats the mostly-white bikers at Harley differently than the mostly-Black bikers at Black Bike Week makes me feel upset and humiliated. I feel that the City of Myrtle Beach has treated me and other Black Bike Week attendees as second-class citizens and the police have treated me and others as if we do not deserve to be in Myrtle Beach during Black Bike Week.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED WITHIN THE UNITED STATES ON: April 9th, 2018.

BY:



Patrice Johnson